

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civil Action No. 2:22-cv-1648

A HIPOINT, MODEL 995, 9MM CALIBER
RIFLE, BEARING SERIAL NUMBER
E49327;
FORTY-FOUR (44) ROUNDS OF 9MM
AMMUNITION; AND
A MAGAZINE LOADED WITH THIRTEEN
(13) ROUNDS OF 9MM AMMUNITION
FROM THE HIPOINT RIFLE

Defendants.

VERIFIED COMPLAINT FOR FORFEITURE

AND NOW comes the United States of America, by and through its counsel, Cindy K. Chung, United States Attorney for the Western District of Pennsylvania, and Jill L. Locnikar, Assistant United States Attorney for the Western District of Pennsylvania, and respectfully represents as follows:

1. This is a civil action *in rem* for forfeiture to the United States of a HiPoint Model 995, 9mm caliber rifle, bearing serial number E49327, forty-four (44) rounds of 9mm ammunition, and a magazine loaded with thirteen (13) rounds of 9mm ammunition from the HiPoint rifle (the “Defendant Property”), delineated by asset identification number 22-FBI-005230, pursuant to 21 U.S.C. § 881(a)(11).
2. Jurisdiction is predicated upon 28 U.S.C. §§ 1345 and 1355(a). Venue is proper under 28 U.S.C. §§ 1395 and 1355(b).

3. Federal and local law enforcement are participating in an on-going criminal investigation of a Drug Trafficking Organization (DTO) that is trafficking large quantities of fentanyl, cocaine, meth and marijuana within the Western District of Pennsylvania.

4. Through the use of various investigative tools, Federal and local law enforcement were able to determine that members of the DTO actively trafficked large quantities of fentanyl, cocaine, meth and marijuana within the Western District of Pennsylvania.

5. As part of the criminal investigation of the DTO for illegal drug trafficking in violation of 21 U.S.C. 841, law enforcement executed a search warrant at a particular storage facility in the Pittsburgh area, among other locations. Inside the storage facility, law enforcement found and seized the Defendant Property pursuant to 21 U.S.C. § 881(a)(11). Law enforcement also found 38.5 grams of suspected black tar heroin.

6. Subsequent to the seizure, FBI instituted administrative forfeiture proceedings against the Defendant Property. Tyler Atkisson filed a claim to the Defendant Property as part of the administrative proceedings. As a result, the United States has instituted this civil forfeiture action against the Defendant Property.

7. Based on the foregoing, the Defendant Property is forfeitable to the United States pursuant to 21 U.S.C. § 881(a)(11) since it constitutes a firearm used or intended to be used to facilitate the transportation, sale, receipt, possession, or concealment of controlled substances or intended to be used to facilitate any such violation of the Controlled Substances Act.

WHEREFORE, the United States of America respectfully requests that process of warrant *in rem* issue for the arrest of the Defendant Property; that Judgment of Forfeiture be entered in favor of the United States for the Defendant Property; and that the United States be granted such relief as this Honorable Court may deem just and proper, together with the costs and disbursements of this action.

Respectfully submitted,


CINDY K. CHUNG
United States Attorney

By: /s/ Jill L. Locnikar
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VERIFICATION

I am a Task Force Officer of the Federal Bureau of Investigation and the officer assigned the responsibility for this case. I have read the contents of the foregoing complaint for forfeiture and the statements contained therein are true and correct to the best of my knowledge and belief.

I verify under penalty of perjury that the foregoing is true and correct. Executed on this 21st day of November, 2022.



Stephen A. Zoller, Task Force Officer
Federal Bureau of Investigation